

## ORDINANCE NO. 45-992

AN ORDINANCE OF THE CITY OF WICHITA PERTAINING TO CITY COUNCIL RULES OF PROCEDURE; AMENDING CODE SECTIONS 2.04.190 AND 2.04.410; AND REPEALING THE ORIGINALS OF SAID SECTIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA,  
KANSAS:

**Section 1.** Section 2.04.190 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

**Section 2.04.190. Order of business at regular meetings.**

Regular meetings of the council shall be conducted according to the standing rules of procedure of the council in the following order of business:

A. Call to Order. Promptly at the hour appointed for the meeting of the council, the mayor or, in his/her absence, the successor presiding officer shall take the chair and shall call the city council to order.

B. Invocation. The presiding officer shall announce the invocation to be given by a member of a rotating panel invited for such purposes from all the religious faiths in the community.

C. Attendance. The clerk shall note the attendance of the council members and shall enter as a matter of record their presence or absence during all or any part of the meeting.

D. Approval of Minutes of Previous Meeting. Minutes of the previous meeting or meetings shall be amended, corrected and approved and if approved by a majority of the quorum present shall be entered in the permanent records of the city without being subject to further change or amendment. Minutes of previous meetings shall not be read aloud in their entirety unless so required by a vote of a majority of the council.

E. Public Agenda. A public agenda shall be considered by the council. No action will be taken relative to items on this agenda other than referral for information. Requests to appear will be placed on the agenda on a "first-come, first-served" basis. This portion of the meeting is limited to thirty minutes and shall be subject to a limitation of five minutes for each presentation with no extension of time permitted. No speaker shall be allowed to appear more frequently than once every fourth meeting. Members of the public desiring to present matters to the council on the public agenda must submit a request in writing to the office of the city manager prior to twelve noon on the Tuesday preceding the council meeting. The request should state the name of the individual(s) desiring to be heard and the matter to be presented. Item requests may be referred, at the discretion of the city manager, to appropriate staff for mediation prior to being placed on the public agenda if the individual(s) consents to said referral. Matters pertaining to personnel, litigation and violations of laws and ordinances are excluded from the agenda. Rules of decorum as provided in this code will be observed.

F. Unfinished Business Agenda. Items on this agenda will be those items of unfinished business carried over from previous meetings and designated for further consideration by the council.

G. New Business Agenda. The new business agenda shall be prepared by the city manager and shall include all items to be presented officially to the city council by the city manager. Each item shall include sufficient summary explanation to make clear to members of the council and the public the matter to be discussed and the action requested. Additional or supplemental information may accompany the agenda or follow as soon thereafter as practicable. Items on this agenda shall be presented by the city manager or such members of the staff as the city manager may designate. Generally speaking, the order of presentation shall follow the agenda except as may be directed otherwise by the presiding officer and each item shall be concluded before the next item is discussed. Except for questions from members for purposes of clarification, the

manager shall be permitted to explain fully each individual item before detailed questions or discussion is had either by the members of the council or by public members present. Following the complete presentation of each item on the agenda and the specific recommendation of the city manager in connection with each item presented, the matter shall be opened for discussion from the floor by public members.

H. City Council Agenda. The city council agenda shall be prepared by the city manager at the direction of either the majority of the council or any individual council member who shall be privileged to request that items be placed on the council agenda. Such items shall be placed on the council agenda in the order of "first come, first served" with the name of the individual council member sponsoring the item or making such request. Council members shall use the agenda for purposes concerning general policy matters involving all members of the council. Requests from members of the public shall not be placed on the agenda except as they are sponsored by a council member in each case. Items on the city council agenda shall be presented by the council members sponsoring such items. Generally speaking, the order of presentation shall follow the agenda except as may be directed otherwise by the presiding officer, and each item of the agenda shall be concluded before the next item is discussed. Except under unusual circumstances, subject to the direction of the presiding officer, individual council members shall have an opportunity to explain fully, without interruption, the particular matters placed on the agenda at the member's request. Thereafter, and in the following order, the city manager and public members present shall have an opportunity to comment on the matter in question following which the matter shall be placed on debate or shall be disposed of by motion from the council. Subject to the direction from the chair, individual council members shall be privileged to ask questions at any time during any part of the discussion. The matter may be debated by the council at any time, either prior or subsequent to a proper motion and second.

I. Consent Agenda. The consent agenda shall be prepared by the city clerk each week.

It shall be restricted to the necessary actions to be taken by the council in connection with ordinances, resolutions, or other matters previously approved, placed on reading or adopted, or routine matters to be approved. Items on the consent agenda, although listed separately, shall be considered collectively as a consensus agenda and an affirmative vote of the council on the consent agenda will allow and be construed as an affirmative vote to take the recommended action as stated on each item. Any item on the agenda may be considered separately by request of any member of the council, the city manager, or any citizen in attendance at the meeting, in which event it will be set aside for separate discussion and remaining items on the agenda will be voted upon as a consensus agenda.

J. Planning Agenda. The planning agenda shall be prepared by the city manager. Items on the planning agenda shall include all regulatory and policy matters which carry the recommendation of the metropolitan area planning commission, and may include other matters referred to the city council from the planning department. The planning agenda shall be considered biweekly by the council following all other matters of business, except that the city manager may designate a time certain for hearing on items on this agenda that are of public interest. Public hearing on planning items is conducted by the planning commission under provisions of state law. Additional hearing on zoning applications will not be conducted by the council unless a statement:

- (1) Alleging unfair hearing before the planning commission; or
- (2) Alleging new facts or evidence has been filed with the city clerk by five p.m. on the Wednesday preceding the meeting. The council will determine from the written statement whether or not to return the matter to the planning commission for rehearing.

K. Debate and Cloture. Public comments and comments from the city manager shall be allowed on all motions; provided, however, that any council member may at any time move to close the public debate and, if seconded, all further discussion of the matter either by members of the public or the city manager shall cease and the council shall vote on said motion which, if passed, shall close public debate. Discussion and debate of the

original motion may be continued between members of the city council until the mayor or any other council member calls for the question. A call for the question, if seconded, shall immediately end all debate and discussion, and if passed by majority vote, the original motion must be voted on without delay, provided however, that the call of the question shall not be implemented until all members of the council have had an opportunity to speak to the original motion. After the formal vote has been taken by the council, all further discussion of the matter shall cease unless appropriate affirmative action follows to place the matter again before the council for reconsideration.

L. Miscellaneous. Under unusual circumstances, authorized by suspension of a rule, miscellaneous or other matters not on any agenda may be considered.

M. Recesses. Recesses of the council shall be declared by the presiding officer or a majority of the council.

N. Adjournment. Adjournment shall occur at the hour of six p.m. when moved, seconded and approved by a majority of members present; or as shall be announced by the chair at the conclusion of business in the event no majority is obtainable from members present; provided, that meetings may be continued beyond the hour of six p.m. when moved, seconded and approved by a majority of members present.

**Section 2.** Section 2.04.410 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

**Section 2.04.410. Individual actions.**

In addition to motions which may be made and seconded by members of the council, there shall be certain actions which individual members shall be privileged to take at appropriate times without the necessity of such actions being placed in the form of motions. All such actions are subject to decision of the presiding officer or appeal providing such appeal is made immediately after and in connection with the ruling of the chair. The following individual actions or requests shall be authorized:

(a) TO RAISE A POINT OF ORDER shall be made at any time by any member who

feels the rules of procedure are being violated.

(b) TO RAISE A POINT OF PERSONAL PRIVILEGE shall be made by any member desiring to request such personal privileges as may be authorized by the rules of procedure providing that such request shall be made at the conclusion of any individual items of business on the agenda.

(c) TO REQUEST ADDITIONAL INFORMATION shall be made at any appropriate time during a council meeting.

(d) TO ENQUIRE shall be made at any appropriate time during a council meeting.

(e) TO COMMENT shall be made at any appropriate time during a council meeting.

(f) TO APPEAL shall be made immediately following and in connection with a ruling of the chair.

(g) TO RECESS shall be made at any reasonable time and for any reasonable purposes during meetings providing such requests shall not be made during debate or discussion or immediately prior to a vote or for purpose of influencing a vote or for harassing other members or individuals appearing before the council.

(h) TO BE EXCUSED FROM THE MEETING shall be made at reasonable times for good and sufficient reasons providing that such requests shall not be made immediately prior to vote on any matters under debate or discussion or for the purpose of delaying action on any matters under consideration or for the purpose of reducing the number of members present in order to influence a vote or for the purpose of preventing a quorum being present to conduct business.

(i) TO PASS A VOTE shall be made in connection with any vote in which a member of the council may have a conflict of interest and shall not be used for the purpose of evading a vote or delaying or obstructing business.

(j) TO REQUEST A PARLIAMENTARY RULING shall be made at any time a member feels the rules of procedure are being violated or at any time a member desires clarification either of rulings that have been made by the chair or rulings that may be

applicable under certain circumstances. Requests for parliamentary ruling shall be made to the city attorney as may be desired by the member of the council; providing, however, that the parliamentary ruling of the city attorney in connection with the rules of procedure shall be final and shall be mandatory on the presiding officer.

(k) TO CALL A QUESTION shall be made at any appropriate time after a motion has been made and seconded when it is desired to bring the debate to an end and to bring about a vote on the matter under debate. The presiding officer shall call a vote on the original motion immediately after such call for the question has been seconded and passed by majority vote, provided however, that the call of the question shall not be implemented until all members of the council have had an opportunity to speak to the original motion. In the event the presiding officer does not act under these circumstances, such call for the question shall be made in the form of a motion which, if seconded and approved by a majority of members present, shall make it mandatory that the presiding officer call the question for vote without further debate or other delay.

**Section 3.** The originals of Sections 2.04.190 and 2.04.410 of the Code of the City of Wichita are hereby repealed.

**Section 4.** This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this date, February 10, 2004.

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Carlos Mayans, Mayor

ATTEST:

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Karen Schofield, City Clerk

Approved as to Form:

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Gary E. Rebenstorf, Director of Law